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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,984	10/07/2003	Tetsuharu Yamaguchi	81710.0260	6483
26021 7590 07/19/2007 HOGAN & HARTSON L.L.P. 1999 AVENUE OF THE STARS SUITE 1400 LOS ANGELES, CA 90067			EXAMINER EBRAHIMI DEHKORDY, SAEID	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 07/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/680,984

Applicant(s)

YAMAGUCHI, TETSUHARU

Examiner

Saeid Ebrahimi-dehKordy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 5-20 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/4/05, 487703</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-2, 5-8 and 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Robertson et al (Pub. No.: US 20030113130)

Regarding claim 1 Robertson et al disclose: An image scanning and printing device (note Fig. 1 item 18 the printer which embodies the scanner 128 of Fig. 8, note page 3, paragraph 0046) comprising: means for printing an image onto each of multiple sheets of recording papers in one printing process by a multi-up printing process (note Figs. 6&7, page 2, paragraph 0035 through page 3, paragraph 0045, where the multi-up printing such 2-up or 4-up and etc is performed) and means for controlling to select and execute the multi-up printing process when a size of the recording paper (note again Fig. 6, where the multi-up printing process is explained, page 3,

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paragraphs, 0041-0043) which is obtained based on a size of an original document and an output magnification is less than half of a maximum recording paper size and a number of sheets to be printed (note page 1, paragraphs, 0006-0007, and also page 3, paragraph 0043) which is obtained based on a number of original documents and a number of sets of sheets to be printed (note again page 1, paragraphs, 0006-0007, and also page 3, paragraph 0043) is two sheets or more and to select and execute a one-up printing process otherwise (note page 3, paragraph 0042, where the 1-UP printing is performed).

Regarding claim 2 and 15 An image scanning and printing device (note Fig.1 item 18 the printer which embodies the scanner 128 of Fig.8, note page 3, paragraph 0046) comprising: means for printing an image onto each of multiple sheets of recording papers in one printing process by a multi-up printing process (note Figs. 6&7, page 2, paragraph 0035 through page 3, paragraph 0045, where the multi-up printing such 2-up or 4-up and etc is performed) and means for controlling to select and execute the multi-up printing process when a size of a recording paper (note again Fig.6, where the multi-up printing process is explained, page 3, paragraphs, 0041-0043) which is obtained based on a size of an original document and an output magnification, is less than half of a maximum recording paper size and a next page of the original document detected at a stage a first page of the original document (note page 1, paragraphs, 0006-0007, and also page 3, paragraph 0043) is scanned, and a number of sets of sheets to be printed is two sets or more (note Fig.6, where page 3 paragraphs, 0042-0043) and to select and execute a one-up printing process otherwise (note page 3, paragraph 0042, where the 1-UP printing is performed).

Regarding claim 5 and 16 Robertson et al disclose: The image scanning and printing device according to claim 1, wherein the means for printing uses an electro-photographic method (note Fig.8 the electrophotographic printer and page 3, paragraph 0046).

Regarding claim 6 Robertson et al disclose: The image scanning and printing device according to claim 2, wherein the means for printing uses an electro photographic method (note Fig.8 the electrophotographic printer and page 3, paragraph 0046).

Regarding claim 7 and 17 Robertson et al disclose: The image scanning and printing device according to claim 1, further comprising a copy function (note page 1, paragraph 0006).

Regarding claim 8 Robertson et al disclose: The image scanning and printing device according to claim 2, further comprising a copy function (note page 1, paragraph 0006).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-14 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al (Pub. No.: US 20030113130) in view of Mori et al (Pub. No.: US 20010043359)

Regarding claim 9 and 18 Robertson et al do not clearly disclose: The image scanning and printing device according to claim 2, further comprising an Internet function. On the other hand Mori et al disclose: The image scanning and printing device according to claim 2, further comprising an Internet function (note page 3, paragraph 0054). Therefore it would have been

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obvious to a person of ordinary skill in art at the time of the invention to modify Robertson et al's invention according to the teaching of Mori et al, Where Mori et al in the same field of endeavor enhances the Robertson invention by enabling the printer to act as a facsimile which is connected to the internet and network, this would in fact optimizes the capability of the use to faster process the data.

Regarding claim 10 Robertson et al do not clearly disclose: The image scanning and printing device according to claim 2, further comprising an Internet function. On the other hand Mori et al disclose: The image scanning and printing device according to claim 2, further comprising an Internet function (note page 3, paragraph 0054).

Regarding claim 11 and 19 Mori et al disclose: The image scanning and printing device according to claim 1, further comprising a facsimile function (note page 7, paragraph 0101).

Regarding claim 12 Mori et al disclose: The image scanning and printing device according to claim 2, further comprising a facsimile function (note page 7, paragraph 0101).

Regarding claim 13 and 20 Mori et al disclose: The image scanning and printing device according to claim 1, further comprising a network printer function (note page 7, paragraph 0101).

Regarding claim 14 Mori et al disclose: The image scanning and printing device according to claim 2, further comprising a network printer function (note page 7, paragraph 0101).

Allowable Subject Matter

5. Claims 3-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeid Ebrahimi-dehKordy whose telephone number is 703-306-3487. The examiner can normally be reached on Mon-Fri, 8:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Saeid Ebrahimi
Patent Examiner
Group Art Unit 2625
July 11, 2007

